



# Journal of the House

State of Indiana

122nd General Assembly

First Regular Session

Seventh Day

Monday Afternoon

February 1, 2021

The invocation was offered by Chaplain Matt Barnes of the Public Servant's Prayer.

The House convened at 2:30 p.m. with Speaker Todd M. Huston in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Morrison.

The Speaker ordered the roll of the House to be called:

Abbott	Karickhoff
Andrade	King
Austin	Klinker
Aylesworth	Lauer
Baird	Ledbetter
Barrett	Lehe
Bartels	Lehman
Bartlett	Leonard
Bauer	Lindauer
Behning	Lucas
Borders	Lyness
Boy	Manning
Brown, T.	May
Campbell	Mayfield
Carbaugh	McNamara
Cherry	Miller
Clere	Moed
Cook	Morris
Davis	Morrison
Davisson	Moseley
DeVon	Negele
DeLaney	Nisly
Dvorak	Olthoff
Eberhart ☐	Pack
Ellington	Payne
Engleman	Pfaff
Errington	Pierce
Fleming	Porter
Frye	Prescott
GiaQuinta	Pressel
Goodrich	Pryor
Gore	Rowray
Gutwein	Saunders
Hamilton	Schaibley
Harris	Shackleford
Hatcher	Slager
Hatfield	Smaltz
Heaton	Smith, V.
Heine	Snow
Hostettler	Soliday
Jackson	Speedy
Jacob	Steuerwald
Jeter	Sullivan
Johnson	Summers ☐
Jordan	Teshka
Judy	Thompson

Torr  
VanNatter  
Vermilion  
Wesco

J. Young  
Zent  
Ziemke  
Mr. Speaker

Roll Call 14: 98 present; 2 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, February 2, 2021, at 2:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1007, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 3. IC 16-30-3-2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 2. (a) The state department, in consultation with the office of the secretary of family and social services, shall study and prepare a plan to improve the health and behavioral health of Indiana residents. The plan must include the following:**

**(1) Metrics on the most significant areas of health and behavioral health impacting Indiana residents.**

**(2) Goals to improve the health and behavioral health of Indiana residents.**

**(b) Before July 1, 2022, the state department shall provide the written plan prepared under this section to the general assembly in an electronic format under IC 5-14-6.**

**(c) Before July 1, 2022, the state department shall establish and maintain on the department's Internet web site a web page that indicates the performance and progress of the metrics and goals identified in the plan prepared under subsection (a).**

**(d) This section expires July 1, 2023."**

Page 3, line 18, delete "one (1) year." and insert "**two (2) years."**

Page 4, delete lines 9 through 13, begin a new paragraph and insert:

**"Sec. 8. The management performance hub established by IC 4-3-26-8 shall develop and publish on an Internet web site a web page that tracks Indiana's metrics on the most significant areas of health and behavioral health impacting Indiana residents, as identified by the state department, and demonstrate any progress made in these metrics. The web page must include specific progress reported by organizations awarded a grant under the grant program."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1007 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BARRETT, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1079, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 17, delete "cavity," and insert "**cavity and**".

Page 2, line 1, delete "area, and adjacent and associated structures;" and insert "**area;**".

Page 2, delete line 2, begin a new line double block indented and insert:

**"(B) diseases, disorders, and conditions of the associated and adjacent structures of the oral cavity and maxillofacial area if:**

- (i) the dentist is providing emergency care; or**
- (ii) the dentist has completed postgraduate training and certification in oral and maxillofacial surgery from a program certified by the Commission on Dental Accreditation; and".**

Page 2, line 3, delete "(B)" and insert "(C)".

Page 5, line 2, delete "licensed under this article may administer" and insert "**may order and administer an immunization that is recommended by the federal Centers for Disease Control and Prevention Advisory Committee on Immunization Practices for individuals who are not less than eleven (11) years of age, if the dentist complies with the following requirements:**

**(1) Before administering an immunization to an individual, the dentist receives the consent of one (1) of the following:**

**(A) If the individual to whom the immunization is to be administered is at least (11) years of age and is less than eighteen (18) years of age, the parent or legal guardian of the individual.**

**(B) If the individual to whom the immunization is to be administered is at least eighteen (18) years of age and has a legal guardian, the legal guardian of the individual.**

**(C) If the individual to whom the immunization is to be administered is at least eighteen (18) years of age and does not have a legal guardian, the individual.**

**A parent or legal guardian who is required to give consent under this subdivision must be present at the time of immunization."**

Page 5, delete line 3.

Page 5, line 4, delete "(1) is" and insert "**(2) Is**".

Page 5, line 4, delete "resuscitation;" and insert "**resuscitation."**

Page 5, line 5, delete "(2) has" and insert "**(3) Has**".

Page 5, line 7, delete "(b); and" and insert "**(b)."**

Page 5, line 8, delete "(3) administers" and insert "**(4) Administers**".

Page 5, line 11, delete "(a)(2)" and insert "**(a)(3)**".

Page 6, between lines 7 and 8, begin a new paragraph and insert:

**"(d) If the state department of health or the department of homeland security determines that an emergency exists, subject to IC 16-41-9-1.7(a)(2), a dentist may administer any immunization in accordance with any instructions in the emergency determination."**

Page 6, line 29, after "dentist" insert "**or dentist's designee**".

Page 6, line 34, after "dentist" insert "**or dentist's designee**".

Page 7, line 2, delete "dentist" and insert "**dentist,**".

Page 7, line 3, delete "chapter" and insert "**chapter, or dentist's designee**".

Page 7, line 16, after "dentist" insert "**or dentist's designee**".

Page 7, line 19, delete "1(a)(2)" and insert "**1(a)(3)**".

Page 7, line 24, delete "1(a)(2)" and insert "**1(a)(3)**".

Page 16, line 7, after "payment;" insert "**and**".

Page 16, line 11, delete "method; and" and insert "**method."**

Page 16, delete lines 12 through 14.

(Reference is to HB 1079 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BARRETT, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1229, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 4, delete "contraindicated:" and insert "**contraindicated or the immunization is not available:**".

Page 2, delete lines 26 through 34.

(Reference is to HB 1229 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BARRETT, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1356, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "Lifetime" and insert "**Permanent**".

Page 2, line 29, delete "lifetime" and insert "**permanent**".

Page 2, line 30, delete "for the" and insert "**for a permanent registration is eighty-two dollars (\$82).**".

Page 2, delete lines 31 through 32.

(Reference is to HB 1356 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

PRESSEL, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions and Insurance, to which was referred House Bill 1432, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1432 as introduced.)

Committee Vote: Yeas 13, Nays 0.

CARBAUGH, Chair

Report adopted.

#### HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1006, 1032, 1068, 1072, 1101, 1119, 1156, 1169, 1201, 1203, 1246, 1247, 1287, 1373, 1420 and 1537.

**House Bill 1004**

Representative Lindauer called down House Bill 1004 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1004-2)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 4, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 2. IC 5-28-41.2 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

**Chapter 41.2. Small Business Sales Tax Remittance Relief Program**

**Sec. 1.** As used in this chapter, "corporation" refers to the Indiana economic development corporation.

**Sec. 2.** As used in this chapter, "fund" means the small business sales tax remittance relief program fund established by section 6 of this chapter.

**Sec. 3.** As used in this chapter, "eligible small business" refers to a business entity that:

- (1) is authorized to transact business in Indiana;
- (2) maintains a majority of its business operations within Indiana; and
- (3) did not do business as a C corporation in Indiana during the calendar years 2020 or 2021.

**Sec. 4.** As used in this chapter, "program" means the small business sales tax remittance relief program established by section 5 of this chapter.

**Sec. 5. (a)** The small business sales tax remittance relief program is established to provide a grant to an eligible small business that has been significantly impacted as a result of the coronavirus disease (COVID-19) pandemic based on the amount of state gross retail taxes remitted under IC 6-2.5 by the eligible small business.

**(b)** The corporation shall administer the program. The corporation shall be prepared to begin accepting applications under the program no later than July 1, 2021.

**Sec. 6. (a)** The small business sales tax remittance relief program fund is established to carry out the purposes of this chapter. The fund shall be administered by the corporation.

**(b)** The fund consists of:

- (1) appropriations by the general assembly;
- (2) money received from any state or federal grants or programs, including any federal grant or program enacted to provide economic relief in response to the coronavirus disease (COVID-19) pandemic; and
- (3) grants, gifts, and donations intended for deposit in the fund, including transfers from other accounts or funds.

**(c)** The expenses of administering the fund shall be paid from money in the fund.

**Sec. 7. (a)** Subject to section 8 of this chapter, an eligible small business may apply to the corporation for a grant from the program under this chapter.

**(b)** The corporation shall prescribe the form of the application.

**(c)** An eligible small business must submit with an application under this chapter a certification from the state department of revenue that certifies the aggregate amount of state gross retail taxes remitted under IC 6-2.5 by the eligible small business during a time period specified by the eligible small business.

**(d)** The state department of revenue shall provide a written certification of the aggregate amount of state gross retail taxes remitted under IC 6-2.5 by an eligible small business during a time period specified by the eligible small business to an eligible small business that requests a certification under this chapter. The state department of revenue shall prescribe the form of the request.

**Sec. 8.** An eligible small business may apply for a grant under the program in an amount that does not exceed an amount equal to the aggregate amount of state gross retail taxes remitted under IC 6-2.5 by the eligible small business between March 15, 2020, and June 1, 2021.

**Sec. 9.** The corporation shall review an application submitted under this chapter and may provide a grant to an eligible small business that has been significantly impacted as a result of the coronavirus disease (COVID-19) pandemic as provided in this chapter.

**Sec. 10.** The maximum total grant amount that may be awarded to an eligible small business may not exceed five thousand dollars (\$5,000).

**Sec. 11.** The total amount of grants issued by the corporation under this chapter may not exceed forty million dollars (\$40,000,000)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 28, 2021.)

PORTER

Upon request of Representatives Porter and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 15: yeas 29, nays 68. Motion failed.

HOUSE MOTION  
(Amendment 1004-3)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 2, line 5, delete "The" and insert: "In the case of a qualified business:

- (A) that is described in section 4(1)(A) of this chapter, the qualified business demonstrates monthly gross revenue loss of at least fifteen percent (15%) when comparing average monthly gross revenue for calendar year 2020 to average monthly gross revenue for calendar year 2019; or
- (B) that is not described in section 4(1)(A) of this chapter, the".

(Reference is to HB 1004 as printed January 28, 2021.)

MOED

Upon request of Representatives Moed and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 16: yeas 30, nays 67. Motion failed. The bill was ordered engrossed.

**House Bill 1008**

Representative McNamara called down House Bill 1008 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1008-2)

Mr. Speaker: I move that House Bill 1008 be amended to read as follows:

Page 2, between lines 33 and 34, begin a new line block indented and insert:

"(4) Provide a written endorsement from a school corporation, charter school (excluding a virtual charter school), or accredited nonpublic school whose students will directly benefit by the services provided by the eligible entity from a grant awarded to the eligible entity under this chapter.

(5) Agree to provide any service that is funded by a grant awarded under this chapter directly to the students of the school corporation, charter school (excluding a virtual charter school), or accredited nonpublic school who provided the written endorsement described in subdivision (4)."

(Reference is to HB 1008 as printed January 28, 2021.)

DeLANEY

Upon request of Representatives GiaQuinta and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 17: yeas 29, nays 68. Motion failed.

HOUSE MOTION  
(Amendment 1008-1)

Mr. Speaker: I move that House Bill 1008 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-3-2-1, AS AMENDED BY P.L.212-2018(ss), SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Each taxable year, a tax at the following rate of adjusted gross income is imposed upon the adjusted gross income of every resident person, and on that part of the adjusted gross income derived from sources within Indiana of every nonresident person:

- (1) For taxable years beginning before January 1, 2015, three and four-tenths percent (3.4%).
- (2) For taxable years beginning after December 31, 2014, and before January 1, 2017, three and three-tenths percent (3.3%).
- (3) For taxable years beginning after December 31, 2016, three and twenty-three hundredths percent (3.23%).

(b) Except as provided in section 1.5 of this chapter (before its expiration), each taxable year, a tax at the following rate of adjusted gross income is imposed on that part of the adjusted gross income derived from sources within Indiana of every corporation:

- (1) Before July 1, 2012, eight and five-tenths percent (8.5%).
- (2) After June 30, 2012, and before July 1, 2013, eight percent (8.0%).
- (3) After June 30, 2013, and before July 1, 2014, seven and five-tenths percent (7.5%).
- (4) After June 30, 2014, and before July 1, 2015, seven percent (7.0%).
- (5) After June 30, 2015, and before July 1, 2016, six and five-tenths percent (6.5%).
- (6) After June 30, 2016, and before July 1, 2017, six and twenty-five hundredths percent (6.25%).
- (7) After June 30, 2017, and before July 1, 2018, six percent (6.0%).
- (8) After June 30, 2018, and before July 1, 2019, five and seventy-five hundredths percent (5.75%).
- (9) After June 30, 2019, and before July 1, 2020, five and five-tenths percent (5.5%).
- (10) After June 30, 2020, and before July 1, 2021, five and twenty-five hundredths percent (5.25%).
- ~~(11) After June 30, 2021, four and nine-tenths percent (4.9%).~~

(c) If for any taxable year a taxpayer is subject to different tax rates under subsection (b), the taxpayer's tax rate for that taxable year is the rate determined in the last STEP of the following STEPS:

STEP ONE: Multiply the number of days in the taxpayer's taxable year that precede the day the rate changed by the rate in effect before the rate change.

STEP TWO: Multiply the number of days in the taxpayer's taxable year that follow the day before the rate changed by the rate in effect after the rate change.

STEP THREE: Divide the sum of the amounts determined under STEPS ONE and TWO by the number of days in the taxpayer's tax period.

However, the rate determined under this subsection shall be rounded to the nearest one-hundredth of one percent (0.01%).

SECTION 2. IC 6-5.5-2-1, AS AMENDED BY P.L.80-2014, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) There is imposed on each taxpayer a franchise tax measured by the taxpayer's apportioned income for the privilege of exercising its franchise or the corporate privilege of transacting the business of a financial institution in Indiana. The amount of the tax for a taxable year shall be determined by multiplying the applicable

rate under subsection (b) times the remainder of:

- (1) the taxpayer's apportioned income; minus
- (2) the taxpayer's deductible Indiana net operating losses as determined under this section; minus
- (3) the taxpayer's net capital losses minus the taxpayer's net capital gains computed under the Internal Revenue Code for each taxable year or part of a taxable year beginning after December 31, 1989, multiplied by the apportionment percentage applicable to the taxpayer under this chapter for the taxable year of the loss.

A net capital loss for a taxable year is a net capital loss carryover to each of the five (5) taxable years that follow the taxable year in which the loss occurred.

(b) The following are the applicable tax rates to be used under subsection (a):

- (1) For taxable years beginning before January 1, 2014, eight and five-tenths percent (8.5%).
- (2) For taxable years beginning after December 31, 2013, and before January 1, 2015, eight percent (8.0%).
- (3) For taxable years beginning after December 31, 2014, and before January 1, 2016, seven and five-tenths percent (7.5%).
- (4) For taxable years beginning after December 31, 2015, and before January 1, 2017, seven percent (7.0%).
- (5) For taxable years beginning after December 31, 2016, and before January 1, 2019, six and five-tenths percent (6.5%).
- (6) For taxable years beginning after December 31, 2018, and before January 1, 2020, six and twenty-five hundredths percent (6.25%).
- (7) For taxable years beginning after December 31, 2019, and before January 1, 2021, six percent (6.0%).
- (8) For taxable years beginning after December 31, 2020, and before January 1, 2022, five and five-tenths percent (5.5%).
- ~~(9) For taxable years beginning after December 31, 2021, and before January 1, 2023, five percent (5.0%).~~
- ~~(10) For taxable years beginning after December 31, 2022, four and nine-tenths percent (4.9%).~~

(c) The amount of net operating losses deductible under subsection (a) is an amount equal to the net operating losses computed under the Internal Revenue Code, adjusted for the items set forth in IC 6-5.5-1-2, that are:

- (1) incurred in each taxable year, or part of a year, beginning after December 31, 1989; and
- (2) attributable to Indiana.

(d) The following apply to determining the amount of net operating losses that may be deducted under subsection (a):

- (1) The amount of net operating losses that is attributable to Indiana is the taxpayer's total net operating losses under the Internal Revenue Code for the taxable year of the loss, adjusted for the items set forth in IC 6-5.5-1-2, multiplied by the apportionment percentage applicable to the taxpayer under this chapter for the taxable year of the loss.
- (2) A net operating loss for any taxable year is a net operating loss carryover to each of the fifteen (15) taxable years that follow the taxable year in which the loss occurred.

(e) The following provisions apply to a combined return computing the tax on the basis of the income of the unitary group when the return is filed for more than one (1) taxpayer member of the unitary group for any taxable year:

- (1) Any net capital loss or net operating loss attributable to Indiana in the combined return shall be prorated between each taxpayer member of the unitary group by the quotient of:

- (A) the receipts of that taxpayer member attributable to Indiana under section 4 of this chapter; divided by
- (B) the receipts of all taxpayer members of the unitary group attributable to Indiana.

(2) The net capital loss or net operating loss for that year, if any, to be carried forward to any subsequent year shall be limited to the capital gains or apportioned income for the subsequent year of that taxpayer, determined by the same receipts formula set out in subdivision (1)."

Page 4, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 5. [EFFECTIVE JULY 1, 2021] (a) As used in this SECTION, "department" refers to the department of education established by IC 20-19-3-1.

(b) As used in this SECTION, "fund" refers to the teacher compensation trust fund established by subsection (d).

(c) As used in this SECTION, "school corporation" means the following:

(1) Any local public school corporation established under Indiana law.

(2) A charter school.

(d) The teacher compensation trust fund is established for the purpose of increasing teacher compensation. The fund shall be administered by the department.

(e) The fund consists of:

(1) appropriations by the general assembly; and

(2) grants, gifts, and donations intended for deposit in the fund, including transfers from other accounts or funds.

(f) The expenses of administering the fund shall be paid from money in the fund.

(g) There is appropriated to the fund four hundred million dollars (\$400,000,000) from the state general fund for the purposes of this SECTION for the state fiscal year beginning July 1, 2021, and ending June 30, 2022.

(h) The auditor of state shall transfer the amount appropriated under this SECTION to the fund not later than July 30, 2021."

Renumber all SECTIONS consecutively.

(Reference is to HB 1008 as printed January 28, 2021.)

PORTER

Upon request of Representatives Porter and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 18: yeas 28, nays 69. Motion failed. The bill was ordered engrossed.

### House Bill 1033

Representative Frye called down House Bill 1033 for second reading. The bill was read a second time by title.

#### HOUSE MOTION

(Amendment 1033-1)

Mr. Speaker: I move that House Bill 1033 be amended to read as follows:

Page 1, line 14, strike "with a population of less than seven thousand five".

Page 1, line 15, strike "hundred (7,500)".

Page 2, line 4, strike "This subsection applies to a city that:".

Page 2, strike lines 5 through 8.

Page 2, line 12, strike "or described in".

Page 2, line 13, strike "subsection (d)(2)" and insert "**or (d)**".

(Reference is to HB 1033 as printed January 28, 2021.)

HATCHER

Motion failed. The bill was ordered engrossed.

### House Bill 1111

Representative Lindauer called down House Bill 1111 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### House Bill 1150

Representative Prescott called down House Bill 1150 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 1150-1)

Mr. Speaker: I move that House Bill 1150 be amended to read as follows:

Page 3, line 40, delete "five thousand dollars" and insert "**two thousand five hundred dollars**".

Page 3, line 41, delete "(\$5,000)." and insert "**(\$2,500).**".

(Reference is to HB 1150 as printed January 28, 2021.)

PRESCOTT

Motion prevailed. The bill was ordered engrossed.

### House Bill 1152

Representative Leonard called down House Bill 1152 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 1152-2)

Mr. Speaker: I move that House Bill 1152 be amended to read as follows:

Page 4, after line 34, begin a new paragraph and insert:

"SECTION 3. IC 22-4.1-4-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14. (a) The department of workforce development, in coordination with other state agencies as necessary, shall make use of any provision in the federal Consolidated Appropriations Act, 2021 (P.L. 116-260) that permits a state to waive recovery of an overpayment to an individual of pandemic unemployment assistance.**

(b) The department of workforce development, in coordination with other state agencies as necessary, and as permitted by federal law, shall waive recovery of an overpayment to an individual of lost wages assistance payments that were authorized by presidential memorandum signed August 8, 2020, and awarded through the Federal Emergency Management Agency, under 42 U.S.C. 5174 (e)(2) for coronavirus disease (COVID-19).

SECTION 4. **An emergency is declared for this act.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1152 as printed January 28, 2021.)

PORTER

Motion failed.

#### HOUSE MOTION (Amendment 1152-3)

Mr. Speaker: I move that House Bill 1152 be amended to read as follows:

Page 2, line 6, reset in roman "a material".

Page 2, line 6, delete "any".

Page 2, line 8, delete "any" and insert "**a material**".

Page 4, line 2, strike "any" and insert "**a material**".

Page 4, line 4, delete "any" and insert "**a material**".

(Reference is to HB 1152 as printed January 28, 2021.)

HATFIELD

Motion prevailed.

#### HOUSE MOTION (Amendment 1152-5)

Mr. Speaker: I move that House Bill 1152 be amended to read as follows:

Page 4, after line 34, begin a new paragraph and insert:

"SECTION 1. IC 22-4.1-27.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

**Chapter 27.5. Unemployment Insurance Audit**

**Sec. 1. For purposes of this chapter, the term "program" means the state's unemployment insurance program referred to in IC 22-4-18-4.**

**Sec. 2. The office of the inspector general shall oversee**

and supervise the hiring of a third party accounting firm to audit the department's decision making process, process development, and overall management of the program for the period beginning July 1, 2021, and ending August 31, 2022.

Sec. 3. The audit described in section 2 of this chapter must be conducted by a public accounting firm that holds an active accountancy firm permit issued by the Indiana professional licensing agency.

Sec. 4. The office of the inspector general shall give preference to accounting firms described in section 3 of this chapter that have within the firm a public sector accounting practice group.

Sec. 5. The audit report must include at least the following:

(1) Comparisons of the program to unemployment insurance programs of other states including:

- (A) Illinois;
- (B) Kentucky;
- (C) Michigan; and
- (D) Ohio.

(2) A review of the program regarding the following:

(A) Unemployment insurance eligibility criteria and reasons for ineligibility. This includes a review of eligibility and ineligibility for:

- (i) independent contractors;
- (ii) online platform workers;
- (iii) contract firm workers;
- (iv) on call workers; and
- (v) temporary workers.

(B) The number of annual eligibility appeals and the outcomes of those appeals.

(C) Benefit amounts.

(D) Benefit durations.

(E) The length of time between when an applicant files an application for benefits and when the applicant receives the benefits.

(F) The length of time it takes an applicant to resolve an issue with the department.

(G) The application process's overall ease of use.

(H) Staffing and system resources needed to administer the program.

(I) Program staff training and retention.

(J) The cost to administer the program relative to the benefits provided.

(K) The number of claims investigators and the cost of employing them.

(L) A cost benefit analysis of claims investigations.

(M) The percentage of claims that are found to be fraudulent.

(N) The ease and ability of claimants to file and pursue claims without being required to use an electronic claims portal.

(O) The number of claims by the department against individuals for overpayments to individuals.

(P) The length of time between the last unemployment insurance payment to an individual and the receipt by the individual of an overpayment notice.

(Q) The current waiting period for a claimant to have a claim heard by an administrative law judge.

(R) The types of written information sent to employers and individuals.

Sec. 6. The office of the inspector general shall submit a copy of the audit report to the governor and the legislative council no later than October 1, 2022. A report submitted under this section to the legislative council must be in an electronic format under IC 5-14-6."

Renumber all SECTIONS consecutively.

(Reference is to HB 1152 as printed January 28, 2021.)

AUSTIN

Upon request of Representatives Austin and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 19: yeas 31, nays 66. Motion failed. The bill was ordered engrossed.

#### House Bill 1191

Representative Pressel called down House Bill Pressel for second reading. The bill was read a second time by title.

#### HOUSE MOTION

(Amendment-1)

Mr. Speaker: I move that House Bill Pressel be amended to read as follows:

Page 2, delete lines 29 through 42.

Delete pages 3 through 5.

Page 6, delete lines 1 through 18.

Renumber all SECTIONS consecutively.

(Reference is to HB 1191 as printed January 28, 2021.)

PIERCE

Upon request of Representatives Pierce and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 20: yeas 30, nays 67. Motion failed. The bill was ordered engrossed.

#### House Bill 1220

Representative Soliday called down House Bill 1220 for second reading. The bill was read a second time by title.

#### HOUSE MOTION

(Amendment 1220-2)

Mr. Speaker: I move that House Bill 1220 be amended to read as follows:

Page 3, delete lines 33 through 36, begin a new line block indented and insert:

"(6) Energy issues affecting:

(A) low income communities; and

(B) communities of color;

in relation to business and employment opportunities in those communities.

(7) The potential use of "green zones", or "energy investment districts", that:

(A) are established in:

(i) low income communities; or

(ii) communities of color;

that have experienced inequitable environmental and economic hardships; and

(B) provide financial and technical assistance to develop local renewable energy resources by doing the following:

(i) Identifying impacted communities for targeted investments in local renewable energy resources and projects.

(ii) Prioritizing the identified communities for public investment, at both the state and local level, in renewable energy resources and projects, including related job creation programs and economic development initiatives.

(iii) Advancing local projects that install renewable energy resources and projects in the census tracts most burdened by inequitable environmental and economic hardships, while prioritizing both the creation of local jobs with sustainable wages and the transformation of neighborhoods in a manner that ensures sustainable development that does not result in the displacement of longtime residents or businesses.

(iv) Providing resources and assistance to impacted communities, such as by directing a portion of any proceeds from the securitization of stranded utility assets toward the funding of local renewable energy resources and projects.

(v) Establishing community governance and

**democratic decision making processes to ensure that investments made in local renewable energy resources and projects, along with the use of revenue generated by those resources and projects, are shaped by community input, leadership, and planning.**

**In studying the issues set forth in this subdivision, the task force may consider the experience of other jurisdictions that have established green zones or energy investment districts."**

Page 3, line 37, delete "(7)" and insert **"(8)"**.

Page 3, line 39, delete "(8)" and insert **"(9)"**.

Page 3, line 41, delete "(9)" and insert **"(10)"**.

Page 4, line 1, delete "(10)" and insert **"(11)"**.

(Reference is to HB 1220 as printed January 28, 2021.)

PRYOR

Motion prevailed.

#### HOUSE MOTION (Amendment 1220-1)

Mr. Speaker: I move that House Bill 1220 be amended to read as follows:

Page 1, line 14, delete "Four (4)" and insert **"Three (3)"**.

Page 1, line 17, delete "Two (2)" and insert **"Three (3)"**.

Page 2, line 3, delete "Four (4)" and insert **"Three (3)"**.

Page 2, line 5, delete "Two (2)" and insert **"Three (3)"**.

Page 2, line 7, delete "and".

Page 2, between lines 7 and 8, begin a new line double block indented and insert:

**"(B) represents the interests of utility ratepayers; and".**

Page 2, line 8, delete "(B)" and insert **"(C)"**.

(Reference is to HB 1220 as printed January 28, 2021.)

PIERCE

Upon request of Representatives Pierce and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 21: yeas 30, nays 66. Motion failed. The bill was ordered engrossed.

#### House Bill 1230

Representative Lauer called down House Bill 1230 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 1230-1)

Mr. Speaker: I move that House Bill 1230 be amended to read as follows:

Page 2, line 3, strike "or".

Page 2, line 6, after "department," insert **"or at an emergency medical services station"**.

Page 2, line 13, strike "and" and insert **"or"**.

Page 2, between lines 13 and 14, begin a new line double block indented and insert:

**"(E) with medical staff after delivery in a hospital or other medical facility when the child's parent notifies the medical staff that the parent is voluntarily relinquishing the child; and".**

Page 2, line 19, strike "or".

Page 2, line 21, after "(a)(1);" insert **"or"**.

Page 2, between lines 21 and 22, begin a new line block indented and insert:

**"(3) with medical staff as described in subsection (a)(1)(E);"**

Page 2, line 31, after "volunteer fire department," insert **"and an emergency medical services station"**.

Page 3, line 6, delete "concerning" and insert **"of"**.

(Reference is to HB 1230 as printed January 28, 2021.)

LEHMAN

Motion prevailed. The bill was ordered engrossed.

#### House Bill 1238

Representative Heine called down House Bill 1238 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 1238-1)

Mr. Speaker: I move that House Bill 1238 be amended to read as follows:

Page 2, line 20, delete "governor. The" and insert **"governor. Not more than two (2)"**.

Page 2, line 21, delete "not all".

(Reference is to HB 1238 as printed January 28, 2021.)

BARTLETT

Upon request of Representatives GiaQuinta and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 22: yeas 37, nays 60. Motion failed. The bill was ordered engrossed.

#### REPORTS FROM COMMITTEES

##### COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1285, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, between lines 5 and 6, begin a new paragraph and insert:

**"SECTION 11. IC 9-13-2-39.7, AS AMENDED BY P.L.120-2020, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 39.7. (a) "Credential" means the following:**

(1) The following forms of documentation in physical form issued by the bureau under IC 9-24:

(A) A driver's license.

(B) A learner's permit.

(C) An identification card.

(D) A photo exempt identification card.

(2) The following forms of documentation in the form of a mobile credential issued by the bureau under IC 9-24:

(A) Except for a commercial driver's license issued under IC 9-24-6.1, a driver's license.

(B) Except for a commercial learner's permit issued under IC 9-24-6.1, a learner's permit.

(C) An identification card.

**(3) For the purposes of IC 9-24-17.7, any form of documentation in physical form or digital form accessible on a mobile device issued by the bureau under IC 9-24.**

**(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 32 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021):"**

Page 5, between lines 21 and 22, begin a new paragraph and insert:

**"SECTION 12. IC 9-13-2-173.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 173.8. "Statewide electronic lien system", for purposes of IC 9-17-5.5, has the meaning set forth in IC 9-17-5.5-1(1).**

**SECTION 13. IC 9-13-2-173.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 173.9. "Statewide electronic titling system", for purposes of IC 9-17-5.5, has the meaning set forth in IC 9-17-5.5-1(2)."**

Page 6, between lines 16 and 17, begin a new paragraph and insert:

**"SECTION 15. IC 9-17-5.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]:**

**Chapter 5.5. Statewide Electronic Lien and Titling Systems**

**Sec. 1. The following definitions apply throughout this**

chapter:

(1) "Statewide electronic lien system" means a statewide electronic lien system established by the bureau to process:

(A) certificate of title data where a lien is notated; and  
(B) the notification, maintenance, and release of security interests in vehicles; through electronic means.

(2) "Statewide electronic titling system" means a statewide electronic titling system established by the bureau to process applications for certificates of title through electronic means.

Sec. 2. (a) The bureau shall establish a statewide electronic lien system not later than July 1, 2022.

(b) Not later than June 30, 2025, the bureau shall require:

(1) all applicants for a certificate of title under this article that have a secured interest; and  
(2) all lienholders applying to perfect a lien on a motor vehicle under IC 9-17-5;

to use the statewide electronic lien system established under this chapter.

(c) Nothing in this section prohibits the bureau from implementing before June 30, 2025, the mandatory use of the statewide electronic lien system established under this chapter.

Sec. 3. (a) The bureau shall establish a statewide electronic titling system not later than July 1, 2023.

(b) Not later than June 30, 2026, the bureau shall require all applicants for a certificate of title under this article to use the statewide electronic titling system established under this chapter.

(c) Nothing in this section prohibits the bureau from implementing before June 30, 2026, the mandatory use of the statewide electronic titling system established under this chapter.

Sec. 4. The bureau may impose a fee for:

(1) the use of the statewide electronic lien system;  
(2) the use of the statewide electronic titling system; and  
(3) costs associated with operation and maintenance of the statewide electronic lien system and the statewide electronic titling system.

Sec. 5. The bureau may adopt rules under IC 4-22-2, including emergency rules in the manner provided under IC 4-22-2-37.1, to implement this chapter.

Sec. 6. (a) Beginning in 2022, after June 30 and before November 1 of each year, the bureau shall submit a report to the legislative council in an electronic format under IC 5-14-6 providing information regarding the status of the statewide electronic lien system and the statewide electronic titling system.

(b) This section expires July 1, 2027."

Page 8, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 17. IC 9-18.1-11-8, AS AMENDED BY P.L.108-2019, SECTION 177, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 8. (a) If a license plate or other proof of registration is ~~lost or~~ stolen, the person in whose name the license plate or other proof of registration was issued shall notify:

(1) the Indiana law enforcement agency that has jurisdiction where the ~~loss or~~ theft occurred; or  
(2) the law enforcement agency that has jurisdiction over the address listed on the registration for the vehicle for which the license plate or other proof of registration was issued;

that the original license plate or other proof of registration has been ~~lost or~~ stolen.

(b) A person may apply to the bureau to replace a license plate or other proof of registration that is lost, stolen, destroyed,

or damaged. The bureau shall issue a duplicate or replacement license plate or other proof of registration after the person does the following:

(1) Pays a fee of nine dollars and fifty cents (\$9.50). The fee shall be distributed as follows:

(A) Twenty-five cents (\$0.25) to the state construction fund.

(B) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(C) One dollar (\$1) to the crossroads 2000 fund.

(D) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.

(E) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(F) Five dollars (\$5) to the commission fund.

However, the bureau may waive the fee under this subsection for a duplicate certificate of registration that is processed on the Internet web site of the bureau.

(2) If the proof of registration was lost or stolen, provides proof of compliance with subsection (a) in a manner and form prescribed by the bureau.

(c) A replacement proof of registration must be kept or displayed in the same manner as the original proof of registration."

Page 9, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 18. IC 9-18.1-14-7, AS AMENDED BY P.L.108-2019, SECTION 183, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 7. (a) If a certificate of registration or decal issued for an off-road vehicle or a snowmobile that is registered under this chapter is lost, stolen, destroyed, or damaged, the owner of the off-road vehicle or snowmobile may apply to the bureau for a replacement certificate of registration or decal. If the certificate of registration or decal is ~~lost or~~ stolen, the owner shall provide notice of the ~~loss or~~ theft to a law enforcement agency with jurisdiction over:

(1) the site of the ~~loss or~~ theft; or

(2) the address listed on the certificate of registration.

(b) The bureau shall issue a replacement certificate of registration or decal to the owner of an off-road vehicle or a snowmobile after the owner:

(1) pays a fee of nine dollars and fifty cents (\$9.50); and

(2) provides notice as required under subsection (a), if applicable.

(c) The fee imposed under subsection (b) shall be distributed as follows:

(1) Twenty-five cents (\$0.25) to the state construction fund.

(2) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(3) One dollar (\$1) to the crossroads 2000 fund.

(4) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.

(5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(6) Five dollars (\$5) to the commission fund.

(d) A replacement certificate of registration or decal issued under this section must be attached and displayed in the same manner as the original certificate of registration or decal.

SECTION 19. IC 9-18.1-14.5-8, AS ADDED BY P.L.164-2020, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 8. (a) A watercraft becomes subject to registration under this chapter:

(1) on the date the watercraft is acquired; or

(2) not later than sixty (60) days after a person who owns the watercraft becomes an Indiana resident.

(b) Upon becoming subject to registration under this chapter, a watercraft must be registered for a period that is not:

(1) less than three (3) months; or



- (2) greater than twenty-four (24) months.
- (c) A registration under this article may be renewed:
  - (1) for a watercraft with an unexpired registration, for a period of twelve (12) months from the date on which the registration will expire; or
  - (2) for a watercraft with an expired registration, for a period of not:
    - (A) less than three (3) months; or
    - (B) greater than twenty-four (24) months.
- (d) Subject to subsection (b), and except as provided for in subsection (h), the registration year for a registration, other than a renewal described in subsection (c), begins on the date on which the watercraft becomes subject to registration as determined under subsection (a) and ends on the following date selected by the person registering the watercraft:
  - (1) The date on which the watercraft registration expires, as determined under the schedule established under IC 9-18.1-11-1.
  - (2) Twelve (12) months after the date described in subdivision (1).
- (e) If a person sells or otherwise disposes of a watercraft:
  - (1) the certificate of registration and proof of registration for the watercraft are canceled; and
  - (2) except as provided in IC 9-33-3, the person is not entitled to a refund of any unused part of a fee paid by the person under this chapter.
- (f) If the watercraft is transferred or sold, the person shall provide ownership documents at the time of delivering the watercraft.
- (g) A person that acquires a watercraft that is registered under this chapter must apply to the bureau under this chapter to register the watercraft.
- (h) A watercraft registered under this chapter remains subject to continuous registration under this chapter until:
  - (1) the watercraft is sold or otherwise disposed of; or
  - (2) the person that registered the watercraft becomes a nonresident.

SECTION 20. IC 9-18.1-14.5-10, AS ADDED BY P.L.164-2020, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 10. (a) The bureau shall collect an administrative penalty of fifteen dollars (\$15) from the following:

- (1) A person that fails to:
  - (A) register; or
  - (B) provide full payment for the registration of; a watercraft within forty-five (45) days after the date on which the watercraft becomes subject to registration **under section 8(a)(1) of this chapter.**
- (2) A person that fails to:
  - (A) renew; or
  - (B) provide full payment for the renewal of; the registration of a watercraft by the date on which the registration expires.
- (3) **A person who:**
  - (A) **owns a watercraft;**
  - (B) **becomes an Indiana resident; and**
  - (C) **fails to register or provide full payment of the registration of the watercraft within sixty (60) days after the person becomes an Indiana resident.**
- (b) An administrative penalty collected under subsection (a) shall be deposited in the commission fund.
- (c) A person described in subsection (a) commits a Class C infraction.

SECTION 21. IC 9-18.1-14.5-11, AS ADDED BY P.L.164-2020, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 11. (a) If a certificate of registration or decal issued for a watercraft that is registered under this chapter is lost, stolen, destroyed, or damaged, the owner of the watercraft may apply to the bureau for a replacement certificate of registration or decal. If the

certificate of registration or decal is ~~lost or~~ stolen, the owner shall provide notice of the ~~loss or~~ theft to a law enforcement agency with jurisdiction over:

- (1) the site of the ~~loss or~~ theft; or
- (2) the address listed on the certificate of registration.
- (b) The bureau shall issue a replacement certificate of registration or decal to the owner of a watercraft after the owner pays a fee of nine dollars and fifty cents (\$9.50).
- (c) The fee imposed under subsection (b) shall be distributed as follows:
  - (1) Twenty-five cents (\$0.25) to the state construction fund.
  - (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
  - (3) One dollar (\$1) to the crossroads 2000 fund.
  - (4) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
  - (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
  - (6) Five dollars (\$5) to the commission fund.
- (d) A replacement certificate of registration or decal issued under this section must be attached and displayed in the same manner as the original certificate of registration or decal."

Page 13, between lines 11 and 12, begin a new line block indented and insert:

**"(5) The vehicle has not been registered as a motor driven cycle."**

Page 21, line 30, after "4." insert "(a)".

Page 23, between lines 13 and 14, begin a new paragraph and insert:

**"(b) A holder of a learner's permit may operate a motor driven cycle."**

Page 30, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 54. IC 9-24-10-6, AS AMENDED BY P.L.198-2016, SECTION 475, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 6. (a) The bureau, before issuing an initial or a renewal driver's license, permit, or endorsement, may require an applicant to submit to an examination, an investigation, or both an examination and investigation, under section 7 of this chapter. The bureau may cause the examination or investigation to be made whenever it appears from:

- (1) the face of the application;
- (2) the apparent physical or mental condition of the applicant;
- (3) the records of the bureau; or
- (4) any information that has come to the attention of the bureau;

that the applicant does not apparently possess the physical, mental, or other qualifications to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property.

(b) Upon the conclusion of all examinations or investigations under this section, the bureau shall take appropriate action and may:

- (1) refuse to issue or reissue the driver's license, permit, endorsement, or driving privileges;
- (2) suspend or revoke the driver's license, permit, endorsement, or driving privileges;
- (3) issue restricted driving privileges subject to restrictions the bureau considers necessary in the interest of public safety; or
- (4) permit the applicant to retain or obtain the driver's license, permit, endorsement, or driving privileges.

**(c) An applicant may appeal an action taken by the bureau under this section to the circuit or superior court of the county in which the applicant resides.**

SECTION 55. IC 9-24-10-7, AS AMENDED BY P.L.198-2016, SECTION 476, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 7. (a) If the bureau has good cause to believe that a licensed driver is:

- (1) incompetent; or
- (2) otherwise unfit to operate a motor vehicle;

the bureau may, upon written notice of at least five (5) days, require the licensed driver to submit to an examination, an investigation of the driver's continued fitness to operate a motor vehicle safely, including requesting medical information from the driver or the driver's health care sources, or both an examination and an investigation.

(b) Upon the conclusion of all examinations and investigations of a driver under this section, the bureau:

- (1) shall take appropriate action; and
- (2) may:
  - (A) suspend or revoke the driver's license or driving privileges of the licensed driver;
  - (B) permit the licensed driver to retain the driver's license or driving privileges of the licensed driver; or
  - (C) issue restricted driving privileges subject to restrictions the bureau considers necessary in the interest of public safety.

(c) If a licensed driver refuses or neglects to submit to an examination or investigation under this section, the bureau may suspend or revoke the driver's license or driving privileges of the licensed driver. The bureau may not suspend or revoke the driver's license or driving privileges of the licensed driver until a reasonable investigation of the driver's continued fitness to operate a motor vehicle safely has been made by the bureau.

~~(d) A licensed driver may appeal an action taken by the bureau under this section to the circuit court or superior court of the county in which the licensed driver resides."~~

Page 42, after line 42, begin a new paragraph and insert:

"SECTION 68. IC 9-24-17.7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

#### **Chapter 17.7. Credentials and Vaccination Status and Proof of Immunity**

**Sec. 1. The bureau shall not request information regarding an individual's vaccination status or proof of immunity when an individual applies for a credential under this article.**

**Sec. 2. The bureau shall not collect, keep in a data base, place an indication on a credential, or share information regarding an individual's vaccination status or proof of immunity.**

**Sec. 3. The bureau shall not connect any bureau data base with any data base that tracks an individual's vaccination status or proof of immunity."**

Page 58, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 94. IC 34-28-5-5, AS AMENDED BY P.L.146-2016, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 5. (a) A defendant against whom a judgment is entered is liable for costs. Costs are part of the judgment and may not be suspended except under IC 9-30-3-12. Whenever a judgment is entered against a person for the commission of two (2) or more civil violations (infractions or ordinance violations), the court may waive the person's liability for costs for all but one (1) of the violations. This subsection does not apply to judgments entered for violations constituting:

- (1) Class D infractions, **except for violations for failure to use a seatbelt under IC 9-19-10-8, or a child restraint system under IC 9-19-11-2 or IC 9-19-11-3.6;** or
- (2) Class C infractions for unlawfully parking in a space reserved for a person with a physical disability under IC 5-16-9-5 or IC 5-16-9-8.

(b) If a judgment is entered:

- (1) for a violation constituting:
  - (A) a Class D infraction; or
  - (B) a Class C infraction for unlawfully parking in a space reserved for a person with a physical disability under IC 5-16-9-5 or IC 5-16-9-8; or
- (2) in favor of the defendant in any case;

the defendant is not liable for costs.

(c) Except for costs, and except as provided in subsections (e) and (f) and IC 9-21-5-11(e), the funds collected as judgments for violations of statutes defining infractions shall be deposited in the state general fund.

(d) A judgment may be entered against a defendant under this section or section 4 of this chapter upon a finding by the court that the defendant:

- (1) violated:
  - (A) a statute defining an infraction; or
  - (B) an ordinance; or
- (2) consents to entry of judgment for the plaintiff upon a pleading of nolo contendere for a moving traffic violation.

(e) The funds collected for an infraction judgment described in section 4(h) of this chapter shall be transferred to a dedicated county fund. The money in the dedicated county fund does not revert to the county general fund or state general fund and may be used, after appropriation by the county fiscal body, only for the following purposes:

- (1) To pay compensation of commissioners appointed under IC 33-33-49.
- (2) To pay costs of the county's guardian ad litem program.

(f) The funds collected for an infraction judgment described in section 4(i) of this chapter shall be transferred to a dedicated toll revenue fund created as part of a project under IC 8-15.5-1-2(b)(4). The money in the fund does not revert to the county general fund or state general fund and may be used only to pay the cost of operating, maintaining, and repairing the tolling system for a project under IC 8-15.5-1-2(b)(4), including major repairs, replacements, and improvements."

Re-number all SECTIONS consecutively.

(Reference is to HB 1285 as introduced.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

PRESSEL, Chair

Report adopted.

#### **COMMITTEE REPORT**

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1479, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1479 as introduced.)

Committee Vote: Yeas 12, Nays 0.

WESCO, Chair

Report adopted.

#### **INTRODUCTION OF BILLS**

With consent of the members, the following bills and joint resolutions on Bill List 9 were read a first time by title and referred to the respective committees:

**SB 1** — Torr, Lehman, Jeter, Young J  
Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

## ENGROSSED HOUSE BILLS ON THIRD READING

### Engrossed House Bill 1002

Representative Torr called down Engrossed House Bill 1002 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

#### HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 46, I request to be excused from voting on 3<sup>rd</sup> reading for House Bill 1002. Pursuant to House Rule 168, the reason for the request is the following:

I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I am employed by a corporation that has a fiscal interest in the outcome of this motion.

PORTER

Motion prevailed.

Roll Call 23: yeas 76, nays 21. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Messmer, Brown and Freeman.

### Engrossed House Bill 1060

Representative Steuerwald called down Engrossed House Bill 1060 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 24: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Koch, Brown, Freeman and Taylor.

### Engrossed House Bill 1225

Representative Vermilion called down Engrossed House Bill 1225 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 25: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Crider.

Representative Cook, who had been present, is now excused.

### Engrossed House Bill 1252

Representative Young called down Engrossed House Bill 1252 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 26: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Freeman.

### Engrossed House Bill 1255

Representative Young called down Engrossed House Bill 1255 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 27: yeas 95, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Freeman.

### Engrossed House Bill 1314

Representative Torr called down Engrossed House Bill 1314 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 28: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Baldwin, Brown, Taylor and Randolph.

### Engrossed House Bill 1462

Representative Heaton called down Engrossed House Bill 1462 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 29: yeas 94, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Holdman.

## OTHER BUSINESS ON THE SPEAKER'S TABLE

### Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bills 1007 and 1356 had been referred to the Committee on Ways and Means.

#### HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representatives Abbott, Austin, Aylesworth, Baird, Barrett, Bartlett, M. Bauer, Behning, Boy, T. Brown, Campbell, Carbaugh, Cherry, Clere, Cook, Davis, Davisson, DeVon, Ellington, Engleman, Errington, Fleming, Frye, GiaQuinta, Goodrich, Gore, Gutwein, Hamilton, Harris, Hatcher, Hatfield, Heaton, Heine, Hostettler, Jackson, Jeter, Johnson, Jordan, Judy, Karickhoff, King, Klinker, Lauer, Ledbetter, Lehe, Lehman, Leonard, Lucas, Lyness, Manning, Mayfield, Miller, Moseley, Negele, Olthoff, Pack, Payne, Pfaff, Pierce, Porter,

Prescott, Pressel, Pryor, Rowray, Saunders, Schaibley, Slager, Smaltz, V. Smith, Snow, Soliday, Speedy, Teshka, Thompson, Torr, VanNatter, Vermilion, Wesco, Young, Zent, Ziemke, Huston and Andrade be added as coauthors of House Bill 1006.

STEUERWALD

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Carbaugh be removed as author of House Bill 1008 and Representative McNamara be substituted therefor and Representative Carbaugh be added as coauthor.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative McNamara be removed as coauthor of House Bill 1008.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Gutwein, Olthoff and Andrade be added as coauthors of House Bill 1032.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bartels, Gutwein and Gore be added as coauthors of House Bill 1033.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bartels be added as coauthor of House Bill 1044.

ABBOTT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bartlett, McNamara and Steuerwald be added as coauthors of House Bill 1068.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Frye and Johnson be added as coauthors of House Bill 1072.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Shackelford be added as coauthor of House Bill 1082.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives DeVon, Snow and Jackson be added as coauthors of House Bill 1101.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lehe, Manning and Klinker be added as coauthors of House Bill 1119.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Young be added as coauthor of House Bill 1150.

PRESCOTT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Miller be added as coauthor of House Bill 1152.

LEONARD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Miller, Bartlett and Harris be added as coauthors of House Bill 1169.

KARICKHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bartels, Ledbetter and Moseley be added as coauthors of House Bill 1201.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representatives Ledbetter and Fleming be added as coauthors of House Bill 1203.

MCNAMARA

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives VanNatter, King and Andrade be added as coauthors of House Bill 1227.

KARICKHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Frye, Snow and M. Bauer be added as coauthors of House Bill 1230.

LAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lehman, GiaQuinta and Miller be added as coauthors of House Bill 1238.

HEINE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Wesco be added as coauthor of House Bill 1246.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Olthoff be added as coauthor of House Bill 1247.

VERMILION

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as coauthor of House Bill 1304.

SLAGER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Porter and Karickhoff be added as coauthors of House Bill 1314.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hatfield be added as coauthor of House Bill 1373.

VANNATTER

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 8, 79, 95 and 389 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Hostettler, the House adjourned at 5:38 p.m., this first day of February, 2021, until Tuesday, February 2, 2021, at 2:30 p.m.

TODD M. HUSTON

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives